

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT
OF PENNSYLVANIA**

In re:

JOHN T. BROOKS

:

CHAPTER 13

Debtor

:

BANKRUPTCY NO. 07-10611

**DEBTOR'S OBJECTION TO PROOF OF CLAIM FILED BY LITTON LOAN
SERVICING, L.P. AS SERVICER FOR THE MORTGAGEE OF RECORD ("LITTON")**

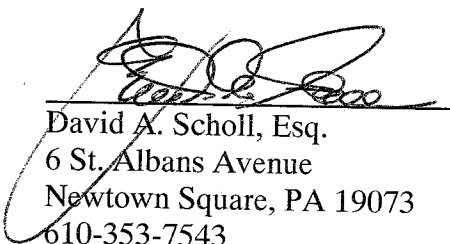
The Debtor now comes and makes the following Objections, ("the Objections") to the Proof of Claim ("the POC") filed in this case by LITTON:

1. The bar date for filing claims in this case was July 10, 2007.
2. Litton filed the POC on October 18, 2007, in the amount of \$193,592.26, as an amendment to a claim file on March 21, 2007 by "Residential Funding Corporation, LLC, its successor and assignees" ("the RFC claim"), providing its address of Litton, which was allegedly secured by a mortgage against the Debtor's property at 4266 Parkside Avenue, Philadelphia, PA 19104 ("the Property"). A copy of the claim and its attachments are attached hereto as Exhibit "A".
3. The POC is however, not in fact an amendment to the RFC Claim. Counsel for Litton has conceded that RFC was not in fact the holder of the underlying mortgage or claim. It is in fact a new claim on behalf of a new entity filed after the bar date, and as such, must be stricken.
4. Alternatively, neither RTC nor Litton has been able to establish that they own any claim against the Debtor or are acting on behalf of a party with a claim against the Debtor. For this claim, the claim must be stricken.

5. Alternatively, the RFC Claim which the POC at issue claims to amend has attached to it a Mortgage and Note in its favor of GELT Financial Corp., the right to which neither RTC nor Litton has established, and relates to an obligation which was paid in full.

6. For all of these reasons, the POC at issue should be stricken.

WHEREFORE, the Debtor requests that this court will enter the Proposed Order accompanying the Objection.



David A. Scholl, Esq.
6 St. Albans Avenue
Newtown Square, PA 19073
610-353-7543
Attorney for Debtor